

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. No. 05-10210-RGS

CHARLIE THORNTON,]
Plaintiff,]
]
v.]
]
UNITED PARCEL SERVICE,]
INC.,]
]
Defendant]

**DEFENDANT'S PRELIMINARY REQUEST FOR
SPECIAL INTERROGATORIES TO THE JURY**

Preliminarily, and subject to the court's rulings on motions in limine and evidentiary rulings during the trial, the Defendant, United Parcel Service, Inc., requests that this Court give the following special interrogatories to the jury.

UNITED PARCEL SERVICE, INC.

By its attorneys,

/s/ Elizabeth A. Kowal
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Jury Interrogatory No. 1

(Liability)

- A) Did Mr. Thornton have a disability that substantially limited one or more of his major life activities; or a record of an impairment that substantially limited one or more of his major life activities; or did UPS mistakenly believe that he had an impairment that substantially limited one or more of his major life activities.
- If the answer is no, you must render a verdict for UPS.
- If the answer is yes, proceed to Item B.
- B) Could Mr. Thornton perform all of the essential functions of his job, with or without reasonable accommodation to his disability?
- If the answer is no, you must render a verdict for UPS.
- If the answer is yes, proceed to Item C.
- C) Did UPS discriminate against Mr. Thornton in whole or in part because of his disability, record of disability or perceived disability?
- If the answer is no, you must render a verdict for UPS.
- If the answer is yes, proceed to Item D.
- D) Did UPS' treatment of Mr. Thornton result in an adverse employment action because of his disability, record of disability or perceived disability?
- If the answer is no, you must render a verdict for UPS.
- If the answer is yes, you must render a verdict for Mr. Thornton.

Jury Interrogatory No. 2

(Damages)

You will consider this Interrogatory only if you have rendered a verdict for Mr. Thornton.

- A) Did Mr. Thornton suffer any quantifiable loss for which he should be compensated as a result of any discrimination by UPS?

-If the answer is no, you may enter a verdict in a nominal amount for Mr.

Thornton on the verdict form.

-If the answer is yes, you may enter the amount of Mr. Thornton's loss on the verdict form.

CERTIFICATE OF SERVICE

I, Elizabeth A. Kowal, hereby certify that I have on this 4th day of February, 2008, electronically filed Defendant's Preliminary Request for Special Interrogatories to the Jury with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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